UNITED STATES PATENT AND TRADEMARK OFFICE

APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/672,145	09/27/2000	Thomas E. Saulpaugh	5181-67300	6194

7590 04/14/2006	EXAMINER
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ART UNIT	PAPER NUMBER
2153	

DATE MAILED: 04/14/2006

Please find below and/or attached an Office communication concerning this application or proceeding.

PTO-90C (Rev. 10/03)

	Application No.	Applicant(s)
Office Action Summary	09/672,145	SAULPAUGH ET AL.
	Examiner	Art Unit	
	Aaron Strange	2153	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE _3_ MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.
- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

1)☒ Responsive to communication(s) filed on _27 December 2005_.

2a)☐ This action is **FINAL.**   2b)☒ This action is non-final.

3)☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

4)☒ Claim(s) _1-68_ is/are pending in the application.

    4a) Of the above claim(s) _____ is/are withdrawn from consideration.

5)☒ Claim(s) _55-58_ is/are allowed.

6)☒ Claim(s) _1-5, 11-17, 22-28, 34, 35, 37, 41-45, 48-52, 54, 59, 63, 64, 67 and 68_ is/are rejected.

7)☒ Claim(s) _6-10, 15, 18-20, 29-33, 36, 38-40, 46, 47, 53, 60-62, 65 and 66_ is/are objected to.

8)☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

9)☐ The specification is objected to by the Examiner.

10)☐ The drawing(s) filed on _____ is/are: a)☐ accepted or b)☐ objected to by the Examiner.

    Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).

    Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).

11)☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

12)☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).

    a)☐ All   b)☐ Some * c)☐ None of:

      1.☐ Certified copies of the priority documents have been received.

      2.☐ Certified copies of the priority documents have been received in Application No. _____.

      3.☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

    * See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

1)☒ Notice of References Cited (PTO-892)

2)☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)

3)☐ Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)
    Paper No(s)/Mail Date _____.

4)☐ Interview Summary (PTO-413)
    Paper No(s)/Mail Date. _____ .

5)☐ Notice of Informal Patent Application (PTO-152)

6)☐ Other: _____.

DETAILED ACTION

Response to Arguments

1.   Applicant's arguments, see Pre-Brief Conference Request, filed 12/27/2005,

have been fully considered but are moot in view of the new ground(s) of rejection.

Claim Rejections - 35 USC § 103

2.   The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all

obviousness rejections set forth in this Office action:

> (a) A patent may not be obtained though the invention is not identically disclosed or described as set
> forth in section 102 of this title, if the differences between the subject matter sought to be patented and
> the prior art are such that the subject matter as a whole would have been obvious at the time the
> invention was made to a person having ordinary skill in the art to which said subject matter pertains.
> Patentability shall not be negatived by the manner in which the invention was made.

3.   Claims 1,25,49 and 59 are rejected under 35 U.S.C. 103(a) as being

unpatentable over Matena (US 5,996,075) in view of Winer ("XML-RPC for Newbies).

4.   With regard to claim 1, Matena discloses a method for remotely invoking

methods in a distributed computing environment, comprising:

a client (node) generating a message (SetKey request), wherein the message

includes information representing a computer programming language method call

(SetKey operation sets a new key), and wherein the message further includes a

credential (NK) for allowing the client access to a service (disk controller) configured to

perform functions on behalf of clients in the distributed computing environment (NK

must be authentic key in order for the requested method to be executed);

the client sending the message to the service (Col 5, Lines 57-60);

the service examining the credential included in the message (Col 6, Lines 9-11);

if said examining determines that the credential is authentic, the service

performing a function on behalf of the client in accordance with the information

representing the computer programming language method call included in the message

(Col 6, Lines 11-13); and

is said examining determines the credential is not authentic, the service not

performing the function on behalf of the client method(Col 6, Lines 13-16).

However, Matena fails to specifically disclose that the message is in a data

representation language.

Winer teaches using a well-known data representation language (XML) to

represent remote procedure calls. This would have been an advantageous addition to

the system disclosed by Matena since XML is a well-known and easy to use language

that makes cross platform procedure calls simple.

Therefore, it would have been obvious to one of ordinary skill in the art at the

time the invention was made to use XML for the messages in the system disclosed by

Matena since it would have provided a simple and easy to understand method of

representing the method calls taught by Matena.

5.   Claims 25,49 and 59 are rejected under the same rationale as claim 1, since they

recite substantially identical subject matter. Any differences between the claims do not

result in patentably distinct claims and all of the limitations are taught by the above cited

art.

6.   Claims 1-5, 11-17, and 22-24 are rejected under 35 U.S.C. 103(a) as being

unpatentable over Bittinger et al. (US 6,453,362) in view of Matena (US 5,996,075) in

further view of Winer ("XML-RPC for Newbies).

7.   With regard to claim 1, Bittinger discloses a method for remotely invoking

methods in a distributed computing environment, comprising:

        a client generating a message, wherein the message includes information

representing a computer programming language method call (request to start an

application)(Col 7, Lines 27-30);

        However, Bittinger fails to explicitly recite a credential included in the message,

which is sent to and examined by the service, for determining whether to perform the

function on behalf of the client or that the message is in a data representation language.

        Matena discloses a similar system for making remote procedure calls and

teaches including a credential (NK) in the message, sending the message to the service

(Col 5, Lines 57-60); the service examining the credential included in the message (Col

6, Lines 9-11); if said examining determines that the credential is authentic, the service

performing a function on behalf of the client in accordance with the information

representing the computer programming language method call included in the message

(Col 6, Lines 11-13); and if said examining determines the credential is not authentic,

the service not performing the function on behalf of the client method(Col 6, Lines 13-

16). This would have been an advantageous addition to the system disclosed by

Bittinger since it would have ensures that the requesting client had authority to execute the requested method.

Winer teaches using a well-known data representation language (XML) to represent remote procedure calls. This would have been an advantageous addition to the system disclosed by Bittinger since XML is a well-known and easy to use language that makes cross platform procedure calls simple.

Therefore, it would have been obvious to one of ordinary skill in the art at the time the invention was made to include a credential in the messages to ensure that the client has authority to make the method call and use XML for the messages in the system disclosed by Bittinger since it would have provided a simple and easy to understand method of representing the method calls.

8.   With regard to claim 2, Bittinger further discloses that the client comprises a client method gate configured to provide an interface to the service by generating data representation language messages including information representing method calls, and wherein said generating a message is performed by the client method gate (after receiving validation, the ticket acts as a gate to generate messages, col 7 lines 50-57).

9.   With regard to claim 3, Bittinger further discloses that the sending the message is performed by the client method gate (the ticket is used in the creation of a server stub which is used to send messages and requests, col 7 lines 55-57).

10.   With regard to claim 4, Bittinger further discloses that the client further comprises
a client process, the method further comprising:

- The client process generating the computer programming language method call
  (ticket generates a method call, col 7 lines 50-57).

- The client method gate receiving the method call generated by the client process
  (The server stub responds to the method call, col 7 lines 50-57).

- Wherein said generating a message is performed in response to said receiving
  the method call (The server stub creates requests for the application, col 7 lines
  55-57).

11.   With regard to claim 5, Bittinger and Matena further disclose that the client further
comprises a client message endpoint, wherein said sending the message to the service
comprises:

- The client method gate sending the message to the client message endpoint,
  wherein the client message endpoint is configured to send messages in the data
  representation language to the service (The client ticket acts as a gate sending
  the message to the server stub)(Bittinger, col 7 lines 50-57).

- The client message endpoint attaching the credential to the message (key must
  be included with method call)(Matena, Col 6, Lines 6-16).

- The client message endpoint sending the message to the service (the server
  stub sends the request to the server)(Bittinger, col 7 lines 55-57).

12.   With regard to claim 11, Bittinger further discloses that the service comprises a

service message endpoint configured to receive messages in the data representation

language from the client, wherein said performing a function comprises the service

message endpoint receiving the message from the client (the server stub, originally sent

to the client, is re-generated by the client to act as an endpoint, col 7 lines 32-57).

13.   With regard to claim 12, Bittinger further discloses that the service comprises one

or more computer programming language methods executable within the service,

wherein said performing a function comprises executing a computer programming

language method of the service in accordance with the information representing the

computer programming language method call included in the message (the server

receives the message call which is a request of functions to be performed, col 8 lines

29-45).

14.   With regard to claim 13, Bittinger further discloses that the service comprises one

or more computer programming language methods executable within the service,

wherein the information representing the computer programming language method call

includes an identifier of the method call, and wherein said performing a function

comprises:

- Regenerating the method call in accordance with the identifier of the method call

   included in the information representing the method call (the ticket uses a server

   stub and tStamp as an identifier to represent the method call, col 7 lines 1-9)

- Executing a computer programming language method of the service in accordance with the regenerated method call (the server stub passes the message call to the server for execution, col 7 lines 27-49).

15.   With regard to claim 14, Bittinger further discloses that the information representing the computer programming language method call further includes one or more parameter values of the method call, and wherein said executing a computer programming language method in accordance with the regenerated method call comprises providing the one or more parameter values from the information representing the method call as parameter values of the method call (The server stub acts a set of parameters followed when requesting data, col 7 lines 41-57).

16.   With regard to claim 16, Bittinger further discloses that performing a function generates results data, the method further comprising the service providing the generated results data to the client (the requests are used to create a custom process that will provide generated results to the client, col 8 lines 32-45).

17.   With regard to claim 17, Bittinger further discloses that performing a function generates results data, and wherein the service comprises a service message endpoint configured to send messages in the data representation language to the client for the service, the method further comprising:

- The service message endpoint sending a results message to the client, wherein the results message includes the generated results data (the requests are used to create a custom process that will provide generated results to the client, col 8 lines 32-45).

18.   With regard to claims 21, Winer further discloses that the data representation language is XML.

19.   With regard to claim 22, Bittinger further discloses that the computer programming language is the Java programming language, and wherein the information representing the method call in the message represents a Java method call to a Java method implemented on the service, and wherein the service performing a function comprises invoking the Java method on the service in accordance with the information representing the Java method call included in the message (the system is written in Java and utilizes a Java Virtual Machine, col 4 line 64 – col 5 line 7).

20.   With regard to claim 23, Bittinger further discloses that the client is executing within a virtual machine, wherein the virtual machine is executing within a client device in the distributed computing environment (the system is written in Java and utilizes a Java Virtual Machine, col 4 line 64 – col 5 line 7).

21.   With regard to claim 24, Bittinger further discloses that the virtual machine is a

Java Virtual Machine (JVM) (the system is written in Java and utilizes a Java Virtual

Machine, col 4 line 64 – col 5 line 7).

22.   Claims 25-28, 34,35,37,41-45,48-52, 54, 59,63,64,67, and 68 are rejected under

the same rationale as claims 1-5, 11-14, 16, 17, and 21-24, presented above, since they

recite substantially identical subject matter. Any differences between the claims do not

result in patentably distinct claims and all of the limitations are taught by the above cited

art.

Allowable Subject Matter

23.   Claims 55-58 are allowed.

24.   Claims 6-10,15,18-20,29-33,36,38-40,46,47,53,60-62,65, and 66 are objected to

as being dependent upon a rejected base claim, but would be allowable if rewritten in

independent form including all of the limitations of the base claim and any intervening

claims.

Conclusion

25.   Any inquiry concerning this communication or earlier communications from the

examiner should be directed to Aaron Strange whose telephone number is 571-272-

3959. The examiner can normally be reached on M-F 8:30-5:00.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's

supervisor, Glen Burgess can be reached on 571-272-3949. The fax phone number for

the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the

Patent Application Information Retrieval (PAIR) system. Status information for

published applications may be obtained from either Private PAIR or Public PAIR.

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For more information about the PAIR system, see http://pair-direct.uspto.gov. Should

you have questions on access to the Private PAIR system, contact the Electronic

Business Center (EBC) at 866-217-9197 (toll-free).

AS
4/12/2006

KRISNA LIM
PRIMARY EXAMINER